

REMARKS

In the Office Action mailed April 29, 2008, the Examiner noted that claims 1-25 were pending and rejected claims 1-5, 7, 10, 15-18, 21, 24 and 25 all other claims being withdrawn. Claims 1-4, 7, 17, 19-21 and 25 have been amended, claims 15, 16, 18 and 24 have been canceled, claim 26 has been added, and, thus, in view of the foregoing, claims 1-14, 19-23, 25 and 26 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

FORMALITIES

The following amendment replaces the amendment filed August 29, 2008 which amendment should not be entered. The instant amendment addresses further formal matters found in claims 1, 7, 17, 21 and 25 when compared to the Amendment of August 29, 2008. The instant amendment is filed together with a Request for Continued Examination.

REJECTIONS under 35 U.S.C. § 102

Claims 1, 2, 4, 5, 7, 10, 15, 16-18, 21, 24 and 25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Gorday, U.S. Patent No. 6,665,521. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Gorday discusses a system of communicating between a wireless network and a plurality of wireless devices.

On page 3 of the Office Action, the Office states that Gorday Fig. 1, item 20 and col. 1, lines 15-20 disclose "[a] method of communicating between at least two *microcircuit cards* (12₁, 12₂, 12₃) *having contactless communication means*, said method involving communication management means (10) that employ a command-response protocol *using contactless communication means* to communicate with said *microcircuit cards* (12₁, 12₂, 12₃), and said method being characterized in that at least one of said *microcircuit cards* (12₁, 12₂) communicates with said communication management means (10) *using said contactless communication means* and in that it includes a step consisting in storing a list of said *microcircuit cards* in the communication management means (10)." Support for the amendment may be found, for example, on page 9 lines 15-25. The Applicant submits that no new matter has been added by the amendment of claim 1.

The prior art of record fails to disclose that communications is made between at least two *microcircuit cards* using a *contactless communications means*.

Further on page 3 of the Office Action, the Office asserts that Gorday col. 2 lines 4-20 discloses "using said contactless means and in that it includes a step consisting in storing a list of said electronic entities in the communication management means (10)," as in amended claim 1. The Applicant

repeats the argument of February 12, 2008. Gorday col. 2 lines 16-19 states “[u]sing the secondary short-range protocol, each unit will establish a list of "partners", which are other ReFLEX units within range 20 of the secondary protocol." Thus, Gorday does not store a list of electronic entities in the communication management means, but in the entities themselves. The communications means is a central device that in contact with at least two microcircuit cards and not just devices in contact with each other as in Gorday. Thus, the list of Gorday is not a list of entities in the communication management means, but only a list of adjacent ReFlex units. Therefore, Gorday fails to disclose "using a wireless technology and in that it includes a step consisting in storing a list of said electronic entities in the communication management means (10)."

Further, the Office states that such a list stored in the base station is inherent. The base station need not store a list as the entities can continually poll the base station obviating the need for a list. Therefore, such a list is not inherent.

Claim 25 has been amended in a manner consistent with the amendment of claim 1. Therefore, for at least the reasons stated above, claims 1 and 25 and the claims dependent therefrom are not anticipated by Gorday.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being obvious over Gorday in view of Ghirnikar, U.S. Patent No. 6,216,001. The Applicant respectfully disagrees and traverses the rejection with an argument.

Ghirnikar adds nothing to the deficiencies of Gorday as regards independent claim 1 as argued above, and therefore, the combination of Gorday and Ghirnikar, taken separately or in combination, fails to teach or suggest the elements of claim 3.

Withdrawal of the rejections is respectfully requested.

NEW CLAIM

Claim 26 is new. Support for claim 26 may be found, for example, on page 9, lines 27-30; and 10, lines 5-23. The Applicant submits that no new matter has been added by the inclusion of claim 26. The prior art of record fails to disclose the list of said microcircuit cards is a list of all said microcircuit cards in communications with the communication management means separate from a list of said microcircuit cards in communication with other said microcircuit cards.

SUMMARY

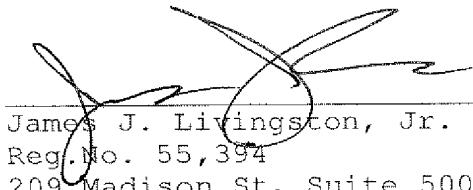
It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 102 and 103. It is also submitted that claims 1-14, 19-23, 25 and 26 continue to be allowable. The

claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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